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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Harold L. Dunegan  
Appl. No. : 10/716,077  
Filed : November 18, 2003  
For : DETECTION OF MOVEMENT OF  
TERMITES IN WOOD BY ACOUSTIC  
EMISSION TECHNIQUES  
Examiner : Rose Mary Miller  
Group Art Unit : 2856

AMENDMENT IN RESPONSE TO JUNE 22, 2004 OFFICE ACTION

**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed June 22, 2004, please enter the amendments that appear on the following pages.

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**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Restriction Requirement** begins on page 5 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.

**Information Disclosure Statement** begins on page 5 of this paper. The actual Information Disclosure Statement is attached to this Response.

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### **RESTRICTION REQUIREMENT**

Applicant affirms the election, without traverse, of the invention of Group III, which includes Claim 12 in prosecution. Claims 1-11 and 13-22 have been cancelled without prejudice or disclaimer to filing divisional or continuation applications including these cancelled claims.

### **INFORMATION DISCLOSURE STATEMENT**

The two Non-Patent Literature references are attached so as to complete the Information Disclosure Statement. The fee set forth in 37 C.F.R. 1.17(p) is \$180. Applicant respectfully submits that neither of these cited references teach and/or suggest or make obvious the allowable subject matter.